

WILLIAM J. GEDDES
Nevada Bar No. 6984
KRISTEN R. GEDDES
Nevada Bar No. 9027
THE GEDDES LAW FIRM, P.C.
1575 Delucchi Lane, Suite 206
Reno, Nevada 89502
Phone: (775) 853-9455
Fax: (775) 299-5337
Email: Will@TheGeddesLawFirm.com
Email: Kristen@TheGeddesLawFirm.com
Attorney for Plaintiff Rebecca Ballinger

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

REBECCA BALLINGER,

Plaintiff,

vs.

PRIME HEALTHCARE SERVICES – RENO,
LLC, a Foreign Limited Liability Company,
dba St. Mary’s Regional Medical Center.

Defendant.

CASE NO.: 3:22-cv-00084-MMD-CLB

**ORDER ON
STIPULATION FOR:**

**(1) PLAINTIFF TO FILE SUPPLEMENTAL
BRIEF RE INTERVENING CHANGE IN
LAW; and**

**(2) ENLARGEMENT OF TIME FOR
DEFENDANT TO FILE REPLY BRIEF
ON:**

**Defendant’s Partial Motion to Dismiss Plaintiff’s
Complaint (ECF 005)**

(First Request)

The parties to this action, by and through their undersigned counsel of record hereby stipulate that Plaintiff may file a supplemental brief (“*Supplemental Brief*”) to ECF 011, to address an intervening change in legal authority announced in *Morgan v. Sundance, Inc.*, 29 Fla. L. Weekly Fed. S. 290 (U.S. 2022, decided May 23, 2022), 2022 U.S. LEXIS 2514, regarding the legal standard as to whether a party has waived arbitration, which impacts the legal arguments presented in Plaintiff’s Opposition (“*Opposition*” ECF 011) to *Defendant’s Motion for Partial Dismissal* (ECF 005), at ECF 011, § IV(B), at 9:19-13:24. This intervening change in legal authority, decided May 23, 2022, was decided by the U.S. Supreme Court one day before Plaintiff filed her opposition brief of ECF 011, on May 24, 2022, and Plaintiff’s counsel was unaware of the *Morgan* decision at the time of filing

1 Plaintiff's opposition brief.

2 As well, the parties to this action, by and through their undersigned counsel of record further
3 stipulate that Defendant may have an enlargement of time to file one single reply brief to the
4 *Opposition* and *Supplemental Brief*, rather than filing a reply to the *Opposition* and a surreply to the
5 *Supplemental Brief*, according to the deadlines prescribed by Local Rule 7-2(b), permitting Defendant
6 seven days to file such a single reply brief.

7 As to the timing of such supplemental briefing, the parties stipulate that Plaintiff may file her
8 supplemental brief not later than seven days after the Court issues any order permitting her to file a
9 supplemental brief, to address the intervening change in legal authority announced in *Morgan*. As well,
10 the parties stipulate that Defendant may file a single reply, addressing both the *Opposition* and
11 *Supplemental Brief* within seven days after any *Supplemental Brief* is filed.

12 This Stipulation is not offered for any dilatory or improper purpose.

13 Dated this 10th day of June 2022.

Dated this 10th day of May 2022.

14 LITTLER MENDELSON

THE GEDDES LAW FIRM, P.C.

15 *Electronic Signature Authorized*

16 By: /s/

17 KARYN M. TAYLOR, ESQ.,
18 Nevada Bar Number 6142
19 kmtaylor@littler.com
20 200 South Virginia Street, 8th Floor
Reno, NV 89501
Telephone: (775) 348-4888

21 *Attorneys for Defendant*
Prime Healthcare Services – Reno, LLC

22 WILLIAM J. GEDDES, ESQ.
23 Nevada Bar Number 6984
24 will@thegeddeslawfirm.com
25 1575 Delucchi Lane, Suite 206
26 Reno, Nevada 89502
27 (775) 853-9455

Attorney for Plaintiff Rebecca Ballinger

28 ORDER

Dated: 6/14/2022

IT IS SO ORDERED

MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE